

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CENTRAL LABORERS' PENSION FUND
BOARD OF TRUSTEES,
CENTRAL LABORERS' WELFARE FUND
BOARD OF TRUSTEES,
CENTRAL LABORERS' ANNUITY FUND
BOARD OF TRUSTEES, and
BARRY McANARNEY,

Plaintiffs,

v.

MACC ENVIRONMENTAL CONTRACOTRS, INC.,
an Indiana corporation, and
BONNIE MOSCHEL, individually, and
THE MUTUAL GROUP, LLC,
an Illinois limited liability company, and
MACC ENVIRONMENTAL, LLC,
an Illinois limited liability company, and
MACC INSULATION CONTRACTORS, LLC,
an Illinois limited liability company,

Defendants.

06 C 3638

Judge Amy J. St. Eve

**PLAINTIFFS'
MOTION FOR JUDGMENT ORDER**

Plaintiffs CENTRAL LABORERS' PENSION FUND BOARD OF TRUSTEES, CENTRAL LABORERS' WELFARE FUND BOARD OF TRUSTEES, CENTRAL LABORERS' ANNUITY FUND BOARD OF TRUSTEES, and BARRY McANARNEY, by and through their attorneys, Daley and George, Ltd., pursuant to Federal Rule of Civil Procedure 68, move as follows:

1. On May 15, 2007, Defendants Mutual Group, LLC, MACC Environmental, LLC., and MACC Insulation Contractors, LLC filed an offer of Judgment, a copy of which is attached as Exhibit A.

2. On May 25, 2007, Plaintiffs filed a notice of acceptance of the offer of judgment, a copy of which is attached as Exhibit B.

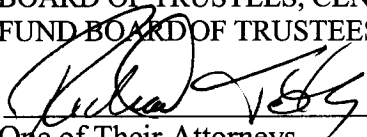
3. Based on the above, Plaintiffs request entry of judgment pursuant to the offer of judgment and Federal Rule of Civil Procedure 68.

Wherefore, Plaintiffs respectfully request the entry of judgment against Mutual Group, LLC, MACC Environmental, LLC., and MACC Insulation Contractors, LLC, and such other relief as the Court may deem just.

Respectfully submitted,

CENTRAL LABORERS' PENSION FUND BOARD OF
TRUSTEES, CENTRAL LABORERS' WELFARE FUND
BOARD OF TRUSTEES, CENTRAL LABORERS' ANNUITY
FUND BOARD OF TRUSTEES, and BARRY McANARNEY

By:



One of Their Attorneys

DALEY AND GEORGE LLP
20 S. Clark St., Suite 400
Chicago, Illinois 60603
(312) 726-8797

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CENTRAL LABORERS' PENSION FUND
BOARD OF TRUSTEES,
CENTRAL LABORERS' WELFARE FUND
BOARD OF TRUSTEES,
CENTRAL LABORERS' ANNUITY FUND
BOARD OF TRUSTEES, and
BARRY McANARNEY,

Plaintiffs,

v.

MACC ENVIRONMENTAL CONTRACTORS, INC.,)
an Indiana corporation, and)
BONNIE MOSCHEL, individually, and)
THE MUTUAL GROUP, LLC,)
an Illinois limited liability company, and)
MACC ENVIRONMENTAL, LLC,)
an Illinois limited liability company, and)
MACC INSULATION CONTRACTORS, LLC,)
an Illinois limited liability company,)

Defendants.

06 C 3638

Judge Amy I. St Eve

**DEFENDANTS', THE MUTUAL GROUP, LLC, MACC ENVIRONMENTAL, LLC AND
MACC INSULATION CONTRACTOR'S LLC,
OFFER OF JUDGMENT**

Defendants make the following offer of judgment under Federal Rule of Civil Procedure 68.

A. Introduction

1. Plaintiff is Central Laborers' Pension Fund Board of Trustees, Central Laborers' Welfare Fund Board of Trustees, Central Laborers' Annuity Fund Board of trustees, and Barry McAnarney; the offering Defendants are The Mutual Group, LLC, MACC Environmental, LLC and MACC Insulation Contractor's LLC.

2. Plaintiffs sued the offering Defendants for alleged violations of a contract between an employer and a labor organization, and seek to enforce the contract to obtain contributions to fringe benefit funds.



3. The offering Defendants make this offer more than ten days before this case is set for trial.

B. Offer of Judgment

4. The offering Defendants offer the sum of \$2,266.52 (\$1,029.00 due pursuant to Audit, \$102.90 in liquidated damages, and \$1,134.62 for Audit costs) for which judgment may be entered.

5. This offer is unconditional.

6. The offering Defendants agree to pay costs, but not attorneys' fees, accrued to date as the costs relate to the offering Defendants only.

C. Deadline to Accept

7. This offer of judgment will remain open and irrevocable for ten days after service.

8. If Plaintiffs do not respond without ten days after service, the offer is deemed withdrawn.

Respectfully submitted,

The Mutual Group, LLC, MACC Environmental,
LLC, and MACC Insulations Contractors, LLC

By: /s/ Frank J. Wesolowski
One of their Attorneys

Michael J. Morrisroe
Frank J. Wesolowski
Michael J. Morrisroe, Ltd.
*Attorneys for The Mutual Group, LLC,
MACC Environmental, LLC, and
MACC Insulations Contractors, LLC*
114 S. Bloomingdale Road
Bloomingdale, Illinois 60108
ARDC No. 06193436
(630) 539-0880

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CENTRAL LABORERS' PENSION FUND
BOARD OF TRUSTEES,
CENTRAL LABORERS' WELFARE FUND
BOARD OF TRUSTEES,
CENTRAL LABORERS' ANNUITY FUND
BOARD OF TRUSTEES, and
BARRY McANARNEY,

Plaintiffs,

v.

MACC ENVIRONMENTAL CONTRACOTRS, INC.,
an Indiana corporation, and
BONNIE MOSCHEL, individually, and
THE MUTUAL GROUP, LLC,
an Illinois limited liability company, and
MACC ENVIRONMENTAL, LLC,
an Illinois limited liability company, and
MACC INSULATION CONTRACTORS, LLC,
an Illinois limited liability company,

Defendants.

06 C 3638

Judge Amy J. St. Eve

**PLAINTIFFS'
ACCEPTANCE OF OFFER OF JUDGMENT**

Plaintiffs accept the offer of judgment made by Defendants (filed on May 15, 2007 as
Docket Entry #38) pursuant to Federal Rule of Civil Procedure 68.

Respectfully submitted,

CENTRAL LABORERS' PENSION FUND BOARD OF
TRUSTEES, CENTRAL LABORERS' WELFARE FUND
BOARD OF TRUSTEES, CENTRAL LABORERS' ANNUITY
FUND BOARD OF TRUSTEES, and BARRY McANARNEY

By: 

One of Their Attorneys

DALEY AND GEORGE LLP
20 S. Clark St., Suite 400
Chicago, Illinois 60603
(312) 726-8797

EXHIBIT

B

Blumberg No. 5208

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CENTRAL LABORERS' PENSION FUND
BOARD OF TRUSTEES, *et al.*,

Plaintiffs,

v.

MACC ENVIRONMENTAL CONTRACOTRS, INC.,
an Indiana corporation, and
BONNIE MOSCHEL, individually, and
THE MUTUAL GROUP, LLC,
an Illinois limited liability company, and
MACC ENVIRONMENTAL, LLC,
an Illinois limited liability company, and
MACC INSULATION CONTRACTORS, LLC,
an Illinois limited liability company,

Defendants.

06 C 3638

Judge Amy J. St. Eve

NOTICE OF FILING

To:

Francis John Wesolowski
Michael J. Morrisroe Ltd.
114 South Bloomingdale Road
Bloomingdale, IL 60108

Please take notice that on May 25, 2007, I caused to be filed with the Clerk of the U.S. District Court for the Northern District of Illinois the Plaintiffs' ACCEPTANCE OF OFFER OF JUDGMENT, a copy of which is attached and hereby served upon you.


Attorney for Plaintiffs

AFFIDAVIT OF SERVICE

The undersigned, an attorney, certifies that he served a copy of this notice and the attached document to the above individuals by both the Notice of Electronic Filing issued through the Court's Electronic Case Filing System (pursuant to Local Rule 5.9) and by mailing said document(s) via first class mail before the hour of 5:00 p.m. on May 25, 2007, from the U.S. mail depository at 20 S. Clark St., Chicago, Illinois, with proper postage prepaid.


Attorney for Plaintiffs

DALEY AND GEORGE LLP
Attorneys for Plaintiffs
20 S. Clark St., Suite 400
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(312) 726-8797